

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

**'Resolve, Regarding Maine's Renewable Resource Portfolio Requirements'**

Amend the bill by striking out everything after the title and before the summary and inserting the following:

**'Sec. 1 Portfolio requirements for new renewable capacity resources. Resolved:**

That the Public Utilities Commission, referred to in this resolve as "the commission," shall review and make recommendations for improvements to the portfolio requirements for new renewable capacity resources in Title 35-A, section 3210, subsection 3-A, referred to in this section as "new renewable portfolio requirements." In fulfilling the requirements of this section, the commission shall:

1. Examine the number, type and location of the resources used to satisfy the new renewable portfolio requirements based on the compliance reports due July 1, 2009 pursuant to commission rule;

2. Analyze the costs and benefits of:

A. Establishing a requirement that the owner or operator of a new renewable capacity resource used to satisfy the new renewable portfolio requirements supply all or a fixed percentage of the electricity from its generating facility to the New England Power Pool control area or to the area administered by the independent system administrator for northern Maine for a minimum period of time; and

B. Establishing a prohibition on economic withholding or curtailment with respect to the delivery of electricity that is imported into the State from a renewable resource generating facility located outside of the New England Power Pool control area or the area administered by the independent system administrator for northern Maine by the owner or operator of a new renewable capacity resource used to satisfy the new renewable portfolio requirements, with an exception to the prohibition for the event of a planned or forced transmission line outage preventing the import of the electricity or when the applicable interpool tie lines are operating at full transfer capacity.

The analysis of costs and benefits must consider impacts on prices of renewable energy credits; retail electricity prices; regional resource diversity and power supply; the development of new renewable capacity resources within the State and the New England Power Pool control area and related economic impacts within the State; and the extent to which renewable resource generating facilities located outside of the New England Power Pool control area or the area administered by the independent system administrator for northern Maine are used to meet the new renewable portfolio requirements;

3. Review current law and commission rules regarding the new renewable portfolio requirements and assess the potential risks and costs associated with making no change to the existing new renewable portfolio requirements; and

4. Develop recommendations regarding changes to the law, rule or other efforts that could be undertaken to strengthen incentives for the development of new renewable resources within the State, to enhance the commission's ability to address any cost concerns associated with the new renewable portfolio requirements and to ensure delivery of power from renewable resources into the State or the New England Power Pool control area during periods of high prices or peak loads; and be it further

**Sec. 2 Report; authority for legislation. Resolved:** That, by January 15, 2010, the commission shall submit to the Joint Standing Committee on Utilities and Energy a report of its findings and recommendations pursuant to section 1. After receipt and review of the report, the committee may submit legislation concerning the subject matter of the report to the Second Regular Session of the 124th Legislature.'

## SUMMARY

This amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission to review and make recommendations for improvements to the portfolio requirements for new renewable capacity resources that must be met by competitive electricity providers in this State. The amendment specifically requires the commission to examine the costs and benefits of imposing additional requirements on owners and operators of new renewable capacity resources used to satisfy the new renewable portfolio requirements, which was proposed in the bill, and to develop recommendations to strengthen incentives for the development of new renewable resources within the State.

The amendment requires the commission to submit a report of its findings and recommendations for the portfolio requirements for new renewable capacity resources to the Joint Standing Committee on Utilities and Energy by January 15, 2010, and it authorizes the committee to submit legislation concerning this subject to the Second Regular Session of the 124th Legislature.